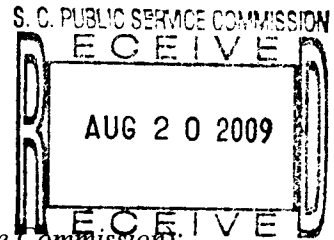


Public Service Commission of South Carolina
Columbia, South Carolina

218686

SA
ORS

2009-355-T
NOTICE OF FILING



BRIEF DESCRIPTION OF THE PLEADING (*Relief the Company is Seeking from the Commission*):

Petition for Rule to Show Cause as to why
Defendant American VIP Cab should not have
its Class C Certificate revoked.

STATUTORY OR OTHER LEGAL AUTHORITY UNDER WHICH PLEADING IS FILED: _____

SC Code of Regulations 103-112 (Supp. 2008),
26 SC Code Ann Regs 103-133 sec 7 paragraph A
subsection 6 (Supp. 2008), 103-102(6)

IF THE PLEADING IS A RATE CASE AFFECTING THE GENERAL BODY OF SUBSCRIBERS, LIST ALL
CURRENT AND PROPOSED RATES AND ANY OTHER CHANGES TO THE COMPANY'S TARIFF CURRENTLY
ON FILE WITH THE COMMISSION: _____


[Signature of Authorized Representative]

18 AUG 09
[Date]

STATE OF SOUTH CAROLINA

(Caption of Case)

Example: Application for a Class C Charter Certificate from

John Doe dba Doe's Limo

Yellow Cab Co of Greenville Inc

Complainant / Petitioner

v.

American VIP Cab

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

TRANSPORTATION COVER SHEET

DOCKET

NUMBER:

2009 - 305 - 29

AUG 29 2009

If this is your first time filing an application with the PSC, you will not have a Docket Number. The Commission will assign one to you. If you have filed with the Commission before, a Docket Number was assigned and should be entered above.

(Please type or print)

Submitted by:

John Bacot

Telephone:

864 - 233 - 6744

Address:

PO Box 2850

Fax:

864 - 233 - 9989

Greenville, SC 29602

Other:

Email:

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

NATURE OF ACTION (Check all that apply)

☐ Application - Class C Taxi

☐ Application - Class C Charter

☐ Application - Class C Charter Bus

☐ Application - Class C Non-Emergency

☐ Application - Class E Household Goods

☐ Application - Class E Hazardous Waste

☐ Application

☐ Request for Extension to Comply with Order

☐ Request for Order Granting Authority to Obtain a Certificate of Public Convenience and Necessity to be Rescinded

☐ Request for Cancellation of Certificate

☐ Request for Suspension

☐ Request for Reinstatement

☐ Request for Name Change on Certificate

☐ Request to Amend Scope of Authority

☐ Request to Amend Tariff (rate Increase, etc.)

☐ Request to Amend Passenger Limit

☐ Request

☐ Exhibit

☐ Late-Filed Exhibit

☐ Letter

☐ Proposed Order

☐ Publisher's Affidavit

☐ Reservation Letter

☐ Response

☐ Return to Petition

☒ Other: Petition for Rule to Show Cause

If you have any questions about this form, please contact the PUBLIC SERVICE COMMISSION at 803-896-5100.

Print Form

Reset Form

DOCKET NO. _____

RECEIVED
AUG 20 1967
FBI - NEW YORK

Defendant

PETITION FOR RULE TO SHOW CAUSE

4. In accordance with 26 S.C. Code Ann. Regs §103-112 (Supp. 2008) ", A Class C motor carrier is a common carrier by motor vehicle of passengers, generally known as "taxi cabs", "charter buses", "charter limousine", and "non emergency vehicles", which does not operate over regular routes or upon regular schedules, and which does not, in any way, solicit or receive

patronage outside the radius of two miles of the corporate limits of the city in which it is licensed to do business except upon such highways as are not served by Class A or B motor carrier. A Class C motor carrier must obtain a Certificate of PC&N from the ORS after approval by the commission, except "charter buses", which must obtain a Charter Bus Certificate."

5. That American VIP Cab, while certificated by the Commission as a Class C Charter carrier, has received certification to operate with statewide authority without being able to provide statewide service. In accordance with 26 S.C. Code Ann. Regs § 103-133, Sec. 7, paragraph A, subsection 6 (Supp. 2008) : "Engaging in Business - An applicant for a Class C Taxi Certificate shall designate on his/her application those counties which it can reasonably provide the service requested. Any applicant which has not provided the service requested within 90 days of approval to begin operation of that certificate, without good cause shown or has not filed with the commission an amended application, shall have its authority revoked."

6. That while certificated, insured, and marked as Class C taxis, AVC, throughout its existence, has operated its vehicles within Richland and Lexington counties with the primary operation being sitting in the taxi holding area at the Columbia Metropolitan Airport.

7. That based upon information and belief, Petitioner alleges that the Defendant American VIP Cab is failing to comply with the requirement to provide service throughout the entire state. 26 S.C. Code Ann. Regs § 103-102 authorizes the Commission to revoke the certificate of a certificated carrier which is shown to have willfully violated Commissions regulations.

8. Defendants are mandated by law to maintain a copy of the PSC regulations and are fully aware they are violating the regulations pertaining to Class C Taxi operations.

9. Defendants circumvent the requirements of the PSC Regulations in order to change locations and not meet the application requirements to show public convenience and necessity in

various areas outside of their typical operational area that otherwise would apply if they were to register as a class C Taxi operator as the regulations would require.

10. Defendants damage legitimate and legal operators because they take business that would otherwise go to legal operators.

WHEREFORE, Complaint asks the Commission to Issue a rule to Show Cause why Defendants should not have their certificates revoked, and/or comply with all requirements of Class C Taxi Operators to include insurance, markings, and license tags..

Yellow Cab Co of Greenville, Inc

BY: 

John S. Bacot

P.O. Box 2850

Greenville, S.C. 29602

(864) 233-6744

Complainant